



AF 13733  
JW

PTO/SB/21 (09-04)

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Total Number of Pages in This Submission

15

Application Number	09/670,152
Filing Date	09/24/2003
First Named Inventor	Benetti
Art Unit	3733
Examiner Name	Philogene, Pedro
Attorney Docket Number	GUID-008CON2

### ENCLOSURES (Check all that apply)

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| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>- Credit Card Payment Form (1 pg.)<br>- Postcard |
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAW OFFICE OF ALAN W. CANNON
Signature	
Printed name	ALAN W. CANNON
Date	6/29/06

Reg. No. 34,977

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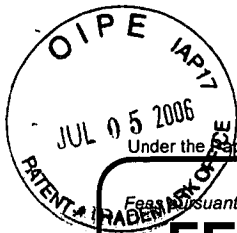
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PTO/SB/17 (01-06)

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Fee is pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 300.00

**Complete if Known**

Application Number	10/670,152
Filing Date	09/24/2003
First Named Inventor	Benetti
Examiner Name	Philogene, Pedro
Art Unit	3733
Attorney Docket No.	GUID-008CON2

**METHOD OF PAYMENT** (check all that apply)

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**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)  
Each independent claim over 3 (including Reissues)  
Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
	Fee (\$)
50	25
200	100
360	180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**  
26 - 24 or HP = 2 x 50 = 100.00

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**  
4 - 3 or HP = 1 x 200 = 200.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**      **Extra Sheets**      **Number of each additional 50 or fraction thereof**      **Fee (\$)**      **Fee Paid (\$)**  
\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

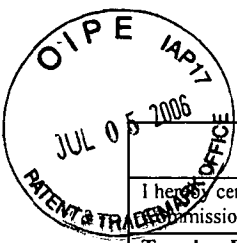
**Fees Paid (\$)****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 34,977	Telephone (408) 736-3554
Name (Print/Type)	Alan W. Cannon	Date	6/29/06

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Typed or Printed Name Maria J. Sousa

Signature

Date

6/29/2006

**AMENDMENT UNDER  
37 C.F.R. §1.116**

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P.O. Box 1450  
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Attorney Docket

GUID-008CON2

Confirmation No.

2852

First Named Inventor

Benetti

Application Number

10/670,152

Filing Date

09/24/2003

Group Art Unit

3733

Examiner Name

Philogene, Pedro

Title

Xyphoid Access for Surgical  
Procedures

Sir:

This amendment is responsive to the Final Office Action dated March 30, 2006 for which a three-month period for response was given making this response due on or before June 30, 2006. In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested. Applicants submit that the amendments set forth below raise no new issues. Rather, the amendments place the claims in form for allowance or in better form for appeal. Entry of these amendments is thus respectfully requested.

07/06/2006 CNEGA1 00000026 09670152

01 FC:1201

200.00 DP

02 FC:1202

100.00 DP